

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Phillip Miller

Serial No.: 09/597,917

Filed: June 19, 2000

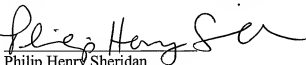
For: MODULAR PORTABLE DATA
PROCESSING TERMINAL FOR
USE IN A RADIO FREQUENCY
COMMUNICATION NETWORK

Examiner: Jamara Alzaida Franklin

Group Art Unit: 2876

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted via EFS-Web to the United States Patent and Trademark Office on May 9, 2007.


Philip Henry Sheridan
Reg. No. 59,918

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Attached to this electronic submission are the following:

- A completed PTO/SB/08A which has one (1) page.
- A copy of each printed reference listed in the PTO/SB/08A form is attached. Applicants, however, have not submitted U.S. Patents or other references previously provided to or by the PTO in this application. Six (6) references are attached.

FEE DETERMINATION AND PAYMENT

No fee is believed to be due because:

- The applicant(s) believe(s) that this statement and attachments are being filed before the first Office action on the merits has been mailed by the PTO. The basis of this belief is that no Office action on the merits appears to have been received by the undersigned to date.

The Commissioner is hereby authorized to charge any fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

REQUEST FOR CONSIDERATION

This paper and attachments are believed to be entitled to consideration under 37 C.F.R. § 1.97, based on the facts stated above.

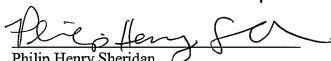
The owner of record of the present application, Broadcom Corporation, is currently involved in a patent infringement action with Qualcomm, Inc., Civil Action No. 05-1392, pending in the Southern District of California.

The references being submitted have been either cited, produced or relied upon by Qualcomm thus far during the above-mentioned lawsuit and/or investigation. This submission is in no way intended as an admission that the submitted references constitute prior art under any subsection of 35 U.S.C. §102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

The Examiner is requested to initial the attached PTO/SB/08A and return one copy to the applicants to indicate consideration of the attached references.

Respectfully submitted,

Date: May 9, 2007


Philip Henry Sheridan
Reg. No. 59,918

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

| | |
|------------------------|-------------------------|
| Application Number | 09/597,917 |
| Filing Date | 06/19/2000 |
| First Named Inventor | Miller |
| Group Art Unit | 2876 |
| Examiner Name | Jamara Alzaida Franklin |
| Attorney Docket Number | 14410US01 |

U.S. PATENT DOCUMENTS

| Examiner Initial* | Cite No. ¹ | Document Number Number-Kind Code ² (if known) | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|-------------------|-----------------------|--|--------------------------------|--|---|
| | A19 | 5,142,550 | 08-25-1992 | Tymes | |

OTHER ART -- NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published |
|--------------------|-----------------------|---|
| | C41 | Expert Report of Zygmunt J. Haas, Ph.D. Regarding the Invalidity of U.S. Patent 6,714,559, 11/27/2006. |
| | C42 | FAPOJUWO et al., "Message and Packet Access Delays in CSMA-CD Local Area Networks", In Proceedings of the 8th Annual Joint Conference of the IEEE Computer and Communications Societies, INFOCOM'89, "Technology: Emerging or Converging?" pp. 849-857, vol. 3, Call Number: 10.1109/INFOCOM.1989.101535, 04/27/1989. |
| | C43 | FAPOJUWO et al., "Multipacket Message Transmission on CSMA-CD LANs using Limited and Gated Strategies", In Proceedings of the IEEE Pacific Rim Conference on Communications, Computers and Signal Processing, pp. 12-15, Call Number: 10.1109/PACRIM.1989.48294, 06/02/1989. |
| | C44 | FAPOJUWO et al., "Stability Consideration of Buffered CSMA/CD System with Multipacket Messages", ELECTRONICS LETTERS, vol. 25, no. 2, pp. 122-124, 01/29/1989. |
| | C45 | Expert Report of Peter McGuigan, Regarding the Invalidity of U.S. Patent 6,714,559, 12/18/2006. |
| | C46 | Qualcomm Prior Art list for 6,714,559, 12/13/2006. |

**EXAMINER
SIGNATURE****DATE CONSIDERED**

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard St. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Rev. Sept. 03

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